

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION**

KRISHNA NARSIMHAN)	
	Plaintiff,	Case No.: 1:19-cv-01255
vs.)	
)	
LOWE'S HOME CENTERS, LLC,)	
	Defendant.	
)	

MOTION IN LIMINE NO. 8
(Prognosis)

COMES NOW Defendant, Lowe's Home Centers, Inc., by and through its undersigned counsel, HeplerBroom, LLC, and moves this Honorable Court to enter an Order *in limine*, before the jury selection or the trial's commencement for its Order barring any testimony on the prognosis of Plaintiff's asserted lower extremity condition of Complex Regional Pain Syndrome.

Dr Joshi, Plaintiff's retained expert, testified at p. 115 (beginning at line 14) through p. 122 (line 4), in a lengthy fashion, that he cannot render any opinion on the prognosis Plaintiff's condition, for a variety of reasons and variables. (See Exhibit A of Defendant's Exhibits to Motions in Limine, Deposition of Dr. Joshi at p. 115-122.)

There is no credible medical opinion, to any reasonable degree of medical certainty, more probably true than not, as to any long term prognosis, as offered by Plaintiff's retained expert Dr. Joshi. *See Johnson v. Johnson*, 386 Ill.App.3d 522, 545 (1st Dist. 2008) (expert testimony that is based on guess, speculation or conjecture is inadmissible); *see also Higgins v. Koch Development, Corp.*, 794 F.3d 697, 704 (7th Cir. 2015) (testimony of doctor was barred as expert because her methodology was found to be too questionable).

Dr. Joshi clearly said he never did a "deep dive" into any assessment of Plaintiff's prognosis, and it was "not his job" to do so here.

Any testimony by Dr. Joshi on Plaintiff's medical prognosis should be barred.

WHEREFORE, Defendant, Lowe's Home Centers, Inc., respectfully requests that this Court grant its Motion in Limine and enter an order barring all counsel, parties, and witnesses from commenting, giving testimony, using any documents or interfering, directly or indirectly, about the foregoing matters detailed herein and further requests this Court to instruct counsel accordingly.

HEPLERBROOM LLC

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CERTIFICATE OF SERVICE

I certify that on December 23, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record registered to receive electronic Notices of Electronic Filing generated by CM/ECF.

/s/ Angela M. Cole